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प्रसाधारण

EXTRAORDINARY

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PART I—Section 1

साधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिसमें कि यह भलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF COMMERCE

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 6th August 1968

SUBJECT:—Import of (i) 'Fruits' all sorts, excluding coconuts and cashewnuts, fresh and dried, salted or preserved, n.o.s. and excluding Dates—S. No. 21(a)/IV, (ii) Asafoetida (S. No. 31/V), (iii) Cumin Seeds, and Medicinal herbs from Afghanistan during 1968-69 Trade Arrangement period.

No. 163-ITC(PN)/68.—In pursuance of the Trade Arrangement for 1968-69 (1st August, 1968 to 31st July, 1969) between the Government of India and the Royal Afghan Government, the import of:—

- (i) Fresh and dry fruits of Afghan origin, mentioned in Schedule A to Annexure I of this Public Notice, will be allowed to Approved Importers under C.C.P. procedure, within a "quantitative ceiling", as against a "monetary ceiling" in the past;
- (ii) Asafoetida, Cumin Seeds and Medicinal herbs of Afghan origin mentioned in Schedule A will be allowed to Approved Importers under C.C.P. procedure, without any ceiling;

(iii) Hides and Skins of Afghan origin, falling under S. No. 144(a)/IV, will continue to be under Open General Licence No. LXXXIV, vide Ministry of Commerce, Import Trade Control Order No. 2/68 dated 20-3-68.

2. Import of commodities covered under the aforesaid items (i) and (ii) will have to be counter-balanced by exports of goods in Schedule B to Annexure I, as indicated in paragraph 18 below. As regards the import of Hides and Skins under item (iii) above, the sale proceeds will be credited to the self-balancing account opened by the Da Afghanistan Bank with the State Bank of India. This account will be utilised by Afghanistan for the purchase of goods and services in India.

3. *Definition of Approved Importers.*—The Approved Importers are those:

(i) who have participated in the Indo-Afghan Trade in those commodities during the four years ending 30th June 1956 and are already registered as such; and

(ii) The Royal Afghan Government's nominee firms registered as "Approved Importers".

4. No Customs Clearance Permit (C.C.P.) will be issued to those "Approved Importers" whose names have been de-registered.

5. *Documents to be furnished with application for CCPs.*—Approved Importers should apply for C.C.Ps. in the prescribed form and manner and indicating *inter-alia* the C.I.F. value of goods, accompanied by the following documents:—

(a) Valid Transit Certificates (five copies) together with invoices and Treasury Receipts. In the case of grapes, exporter's telegrams to the concerned importer, will be accepted. The telegram should bear the number, date, weight in kilograms of the transit certificates as well as c.i.f. value of the goods. The relevant Transit Certificates should be produced to the Customs authorities concerned.

(b) An undertaking on a Stamp Paper to the effect that they will export any or all commodities mentioned in Schedule B to the 1968-69 Trade Arrangement to counter-balance imports in the ratio as mentioned in para 6 by 31st of July, 1969.

6. *Ratio of exports of traditional and non-traditional items in respect of counter-exports.*—It may be mentioned for the information of the trade that not less than 15 per cent of counter-exports to be made to Afghanistan by every importer in payment for imports from Afghanistan, as mentioned in paragraph 18 below, shall be by way of export to Afghanistan of non-traditional items listed in Schedule 'B', i.e. items other than tea, textiles, spices, coir and coir products. The remaining 85 per cent can be utilized for the purchase and export to Afghanistan of any items listed in Schedule 'B' including tea, textiles, spices, coir and coir products.

7. The documents furnished along with the applications should be complete in all respects, which will make for prompt issue of CCPs. All the five copies of the Transit Certificates should bear the Seal and Signature of the Afghan Custom authorities.

8. *Specimen of Transit Certificate.*—A specimen of the prescribed form of the Transit Certificate issued by the Afghan Customs Authorities, is attached in Annexure II. The Transit Certificates will be in two colours—red for fresh fruits and blue-black for dry fruits and other commodities. They will bear, *inter-alia*, the name of the exporter, the name of the importer, description of commodity and weight in kilograms.

9. *Distinctive marks on the Transit Certificates.*—In serialising the Transit Certificates, the Royal Afghan Government will allocate groups of serial numbers to different Customs Control points and would also see that no number in a series is repeated. Further there will be distinctive letters, such as 'K' (Kabul), 'Q' (Qandhar) and 'N' (Nangharhar), to denote the location of the concerned authority of the Ministry of Commerce of the Royal Afghan Government issuing the transit certificates, and also the letters 'B', (Jt. Chief Controller of Imports and Exports, Bombay), 'D' (Jt. Chief Controller of Imports and Exports, Central

Licensing Area, Delhi), and 'A' (Controller of Imports & Exports, Amritsar), to denote the Customs Control point in India as hitherto but the concerned licensing authority in India. In order that the Transit Certificates for grapes are not unduly delayed with the exporters, the approved importers should ensure that their corresponding exporters send a telegram to them on the very day the Transit Certificate is actually issued, informing the former of the particulars thereof including its number, date, weight of grapes in kilograms and value.

10. *Transit Certificates and their validity.*—The Transit Certificates will indicate the period of validity, which will be five days for fresh fruits and forty days for dry fruits and other commodities. The validity of Transit Certificates is decided with reference to the date of actual issue and not the date of arrival of the goods at the Indian Customs borders. The goods must be cleared from the Afghan Customs Borders within the validity period of the Transit Certificate. The evidence of transit having taken place during the validity period of the Transit Certificate, should be produced to the Customs authorities, else the goods will not be allowed clearance.

11. *Procedure for issue of CCPs and their validity.*—CCPs will be issued (in duplicate) to eligible approved importers up to the quantity, covered by valid Transit Certificates, issued by the Afghan Custom authorities, provided the approved importers have either fulfilled this export obligation in full for the last agreement period by 31st July 1968 or are in a position to do so by the extended date i.e. by 31st August 1968. CCPs may be issued, without reckoning, at every stage, of exports made by the concerned importer. If any importer fails to fulfil his export obligation up to 60 per cent at the end of ten months from the date of commencement of the current Trade Arrangement, i.e. by the 31st May, 1969 no further CCPs will be issued to him. If any consignment is despatched in favour of an approved importer, who is for the time being ineligible for the grant of CCPs, on account of short fall in export performance, the licensing authority may consider issuing of a CCP to another approved importer, nominated by the defaulter, provided the nominee approved importer has fulfilled 60 per cent export obligation of his current imports.

12. The CCP will be valid for 7 days in the case of fresh fruits and 40 days in the case of other goods, from the date of issue of the relevant transit certificate/s covering the goods in question.

NOTE: (Importers of Asafoetida and Cumin Seeds from Afghanistan are required to ensure that the products conform to the prescribed standards under the Prevention of Food Adulteration Rules).

13. *Procedure for operating CCPs & Transit Certificates.*—The CCPs will indicate, *inter-alia*, the weight, number, date of the Transit certificate, as well as the c.i.f. value of the goods. Conversely, the number and date and other particulars of CCPs should also be shown on the relevant Transit Certificates. In the case of grapes, the particulars are to be filled in from the telegram.

14. When delivering the CCP (in duplicate) to the importer for items other than fresh fruits, the appropriate Licensing authority will return all the five copies of the Transit Certificates to the importer. The importer will, in his turn present all the five copies of the Transit Certificates in all cases, along with the CCP, in duplicate, to the Customs authorities at the point of imports of the consignment in India. The Custom authorities will, while clearing the consignment, check and verify the physical correctness of the particulars of the consignment (i.e. name of exporter/importer, description of goods, weight and other particulars) as given in the CCP and the Transit Certificates. In the event of any difference, whether in name, description, or weight, as assessed by the Customs authorities, the copies of the CCP and Transit Certificates will be endorsed accordingly by the Custom authority. Where there is a variation in weight mentioned in the CCP/Transit Certificate and the goods actually received, the Customs authorities will allow clearance of the same without insisting on a prior amendment in the CCP by the licensing authority concerned, provided the variation does not exceed 5 per cent and advise the concerned licensing authority accordingly. This will be subject to the overall ceilings fixed for each item of fresh and dry fruits. In the event of excess being over 5 per cent in weight, mentioned in the Transit Certificate and the CCP, it will be obligatory on the part of the importers to get their CCPs amended on the basis of the revised/additional Transit Certificate. If the importer concerned fails to get his CCPs amended, action will be taken against him under the Customs/I.T.C. rules.

15. *Distribution of CCPs.*—The Custom authorities will send the Customs Purposes copy of CCP to the concerned licensing authority direct and the second copy will, as at present, be handed back to the importer to be forwarded to the Reserve Bank of India, duly stamped and signed.

16. *Distribution of Transit Certificate.*—As regards the distribution of the Transit Certificates, one copy will be retained by the Customs, the second copy forwarded to the Reserve Bank of India, the third to the Royal Afghan Government (through the Office of the Chief Controller of Imports & Exports), the fourth copy to the Indian Embassy in Kabul and the fifth to the licensing authority concerned.

17. *Recording of the value of the goods cleared.*—The value of the goods allowed clearance, as assessed by the Customs, should be recorded by them on the Transit Certificates and CCPs before distribution. This information is essential for determining counter-exports to be made from India to Afghanistan for balancing of the trade.

18. *Method of valuation for Counter exports to Afghanistan.*—The following will be the method of valuation of Afghan goods for determining the value of counter-exports to be made from India to Afghanistan during the current Trade Arrangement period:—

- (i) Afghan goods, whether imported on outright purchase or on consignment basis, should be valued on the basis of invoices accepted by Indian Customs or where no invoices exist, on the basis of the Indian Customs assessed value, as defined in Section 14 of the Indian Customs Act, 1962 (Act 52 of 1962);
- (ii) With regard to imports effected as outright purchases, the value of counter-exports should be equal to the value of imports as determined in the manner indicated in (i) above;
- (iii) To the extent imports take place on consignment basis, the sale proceeds of such goods after deducting all expenses, duties, and taxes will be allowed to be repatriated in the forms of goods covered by Schedule 'B' to Annexure I

19. *Manner of Payment.*—Payments for the goods mentioned in Schedule 'A' to the 1968-69 Trade Arrangement (Annexure I), excluding Hides and Skins, will be made by the importers in accordance with E.P. procedures, prescribed by the Reserve Bank of India.

20. *Penalty for non-fulfilment of export obligation.*—As imports of goods mentioned in Schedule 'A' to the 1968-69 Trade Arrangement (Annexure I), excluding Hides and Skins, are to be balanced by export of goods, in the Schedule 'B' to the said agreement, in the ratio described in paragraph 6, it is obligatory on each individual importer to discharge his export obligation in full by the end of the current trade arrangement i.e. by the 31st July, 1969. Should the importer fail to complete his export obligation within the stipulated date, he is liable to be de-registered from the list of approved importers for such period as the licensing authority may deem fit. A condition to this effect will be imposed on each CCP.

21. *Bank facilities for exporters of Schedule C items.*—The Royal Afghan Government have agreed that letters of credit in U.S. dollars and transferable pound sterling will be opened by the Afghan Banks for import of Schedule 'C' items from India.

ANNEXURE I

Indo-Afghan Trade Arrangement for 1968-69

A delegation from India led by Shri D. K. Srinivasachar, Joint Secretary to the Government of India, and a delegation from Afghanistan led by His Excellency Dr. Ali Nawaz, President, Ministry of Commerce, Royal Afghan Government, held trade talks in Kabul from July 21 to July 28, 1968.

2. The two delegations reviewed the working of Indo-Afghan trade during 1967-68 in all its aspects, and discussed the Trade Arrangement for 1968-69. They reaffirmed their desire to develop and diversify trade between India and Afghanistan to mutual advantage. To this end, the two delegations agreed to take steps to facilitate expansion of trade exchanges, promote business travel, and such other measures as may be found necessary.

3. In accordance with the provisions of Article 15 of the Treaty of 1950 between the Royal Afghan Government and the Government of India and subject to their respective import, export and foreign exchange regulations, the two Governments reaffirmed their agreement to the following:—

- (a) Import and Export Authorities in Afghanistan and India will provide special facilities to approved importers in India to import from Afghanistan the goods mentioned in Schedule 'A' to this Arrangement;
- (b) These facilities will also be extended to such Afghan traders as are included in the list of approved importers;
- (c) Import and Export Authorities of the two countries will endeavour to ensure that trade is not concentrated in a few hands;
- (d) All facilities will be provided by the authorities in Afghanistan and in India to facilitate the imports into Afghanistan of articles mentioned in Schedule 'B' to this Arrangement;
- (e) (i) Payment for the goods exchanged under this Arrangement and mentioned in Schedule 'A' (other than hides and skins) and 'B' to this Arrangement will be made in accordance with E.P. procedures;
- (ii) The special self-balancing account maintained by the Da Afghanistan Bank with the State Bank of India will continue to be utilised to facilitate imports of hides and skins on a liberal basis against exports of goods and services in India;
- (iii) Payment for imports of cotton and wool from Afghanistan into India and for export to Afghanistan of Indian goods mentioned in Schedule 'C' shall be made by establishing letters of credit in transferable U.S. Dollars or Pounds Sterling.

4. The two Governments will consult each other periodically to review the above arrangements with a view to removing any difficulty in the working of this Arrangement to the advantage of the two countries.

5. This Trade Arrangement will come into force with effect from August 1, 1968 and will remain valid up to July 31, 1969. Unless either Contracting Party gives notice to the contrary, one month prior to the expiry of this Arrangement, it will automatically be extended by a further period of one year and shall remain in force up to July 31, 1970. On the expiry of the second year of the Arrangement, unless either Contracting Party gives notice to the contrary, one month prior to the expiry of the second year, it will automatically be extended by a further period of one year and shall remain in force up to July 31, 1971.

Signed at Kabul this 28th day of July, 1968

For Government of India
(D. K. SRINIVASACHAR),
Joint Secretary to the
Government of India,
Ministry of Commerce.

For the Royal Afghan Government
(DR. ALI NAWAZ),
President,
Ministry of Commerce,
Royal Afghan Government.

SCHEDULE 'A'

Commodities for Export from Afghanistan to India

Fruits (dry and fresh all kinds), Asafoetida, Cumin Seeds, Hides and Skins, Medicinal herbs (detailed as under)

English	Farsi
Hysop	Zoota
Rosa Rose Flower (dried)	Gule Golab
Buglass (Borage)	Gule Gawzaban
Ouince (Borage)	Beh-Danna
White and red (Behmen) (Urdu)	Behmane Safid wa Sorkh
Jujube	Onnab
Ratanjot (Hindi)	Yarland
Manna	Turanjabeen
Manna (taken from Atraphaxis Spinosa)	Sheer-Kheest
Liquoric (Mulathi)	Shireen Bofa
Wild Carrot	Shakakul
Doroneum	DARAWANJ

SCHEDULE 'B'

Commodities for Export from India to Afghanistan

Textile, Cotton and Woollen, such as:—

Cotton and Woollen piecegoods, cotton dhoties and sarees, hoslery and knitted garments—woollen, cotton and rayon.

Silk, art silk and rayon fabrics; cotton twist and yarn other than cotton, woollen and silk manufactures, Jute manufactures,

Handloom fabrics.

Food

Confectionery, Tea, coffee, spices including pepper, Fish—dried and salted, Fish prawns—dried, Preserved Mango and other vegetable products, Provisions and oilman's stores, Sago, Tapioca and its products, Cane jaggery cane jaggery powder (Indian gur).

Agricultural Products—

Hydrogenated oils, i.e. "vanaspati" or vegetable ghee, Vegetable oil and oilseeds, Essential oils, Tobacco-raw and unmanufactured.

Chemical Products and Soaps—

Chemicals and chemical preparations.

Pharmaceuticals—

Naphthalene, Sera and Vaccines, Alkaloids of Opium and its derivatives, Soap—toilet and household, Toilet requisits and perfumery, Paints, Pigments and varnishes.

Engineering Goods—

Printing machinery, Diesel engines, Pumps driven by diesel engines and electric motors, Sewing machines, Bicycles and their parts, Textiles machinery such as carding machinery and weaving looms, Machine tools, Hand tools and small tools, small river crafts, Sugarcane crushing machinery, Rice, flours and oil crushing machinery, Ball bearings, Agricultural implements, Automobile parts other than those sent as spares with automobiles, Gliders.

Electrical Goods—

Electrical appliances and accessories such as conduit pipes, switches, bells, holders, cut-outs, etc., Electrodes, Electric bulbs and tubes, Electric fans and their parts, Batteries (dry and wet), Electric torch lights, Electric motors, Ebonite sheets, rods and tubes, cables and wires.

Household and Building Requirements—

Utensils including stainless steelware, cooking ranges, heaters, electric iron, toasters, kettles, etc., Household electrical fittings and fixtures, Roofing tiles, Bricks, Linoleum, Sanitaryware, G.I. Pipes and fittings, Manhole cover and plates, Kerosene stoves, Incandescent oil pressure lamps, Safes, strong boxes and room fittings, Crockery.

Hardware—

Locks and padlocks, Cutlery, Bolts, nuts, screws and hinges, etc; Steel furniture and hospital appliances, Scientific instruments of all types, Weighing machines, Surgical and medical instruments, Steel buckets.

Rubber Manufactures—

Tyres and tubes, Other rubber manufactures,

Leather Manufactures—

Boots, shoes and belts, Other leather manufactures, Artificial leather goods.

Handicrafts and Cottage Industry-Products—

Stationery and paper

SCHEDULE 'C'**Indian Exports**

1. Sugar.
2. Automobiles and their spare parts
3. Tractors.
4. Bulldozers.
5. Compressors.
6. Stone Crushing and Polishing equipment.
7. Wood working machinery.
8. Lathes.
9. Road Rollers
10. Graders.
11. Central Airconditioning equipment
12. Refrigerators.
13. Slaughter House Machinery.
14. Accounting Machines.
15. Iron and Steel Construction material not mentioned under the heading "Hardware" in Schedule 'B'.
16. Generators—portable and fixed.
17. Radio Receivers.
18. Telephone and telegraph Apparatus and Equipment.
19. Cranes.
20. Drugs, Medicines and Antibiotics

All other items not included in Schedule 'B'.

Miscellaneous—

Colr and colr products. Films, Dyeing and tanning substances, Lac and shellac, Commercial decorative plywood, Myrobalan and myrobalan extracts, Glassware including tableware, glass bottles and bangles, Artificial porcelain tooth, Synthetic stones, Books and printed matter, Cigarettes, Postage stamps, Refined mineral oils, Bichromates, Sports goods, Mica and Micanite, Firebricks and fireclay, Ropes.

ANNEXURE II

Specimen of Transit Certificate

Royal Government of Afghanistan
 Ministry of Commerce
 India Department
 Transit Certificate No.
 Date 1968
 Name of Exporter
 Name of Importer
 Period of Validity

Area	No.

No.	Commodity	Description	Number of case bundle etc.	Quantity in Kg.	Value per Kg.	Value Rs. Total	Remarks

Signed by Customs House Officer

I, Mr., son of Mr. holder of Trade
 permit No. have completed the customs formalities and undertake that
 the goods will pass Peshawar or Chaman by truck No. driver Mr.
 son of Mr. within 72 hours and without any change or
 diminution in quantity. If not, I agree that my trade permit may be cancelled
 forthwith and without any recourse on my part. Moreover, if the consignment
 does not arrive within five days at a proper Customs house in India, and the
 Indian authorities do not release it I will be responsible for any losses which
 occur.

Date of clearance from Indian Customs House

Signature

R. J. REBELLO,

Chief Controller of Imports & Exports